

United States of America v. Paul H. Schneider, No. 02-30179

MAY 29 2003

WALLACE, Senior Circuit Judge, dissenting:

CATHY A. CATTERSON

U.S. COURT OF APPEALS

Because I cannot distinguish this case from United States v. Cortes, 299 F.3d 1030, 1037-39 (9th Cir. 2002), I dissent. I would vacate the sentence and remand for reconsideration of whether Schneider should receive the benefit of Guideline section 3E1.1, see Application Notes 1(a), (c), (d), (e), and (f), and if not, to allow the district court to make a clear statement of reasons as required by Cortes.